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Attorneys for Plaintiff
KANAWHA INSURANCE COMPANY, a South Carolina
Corporation

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

KANAWHA INSURANCE COMPANY, a
South Carolina Corporation,

Plaintiff,

v.

SHUN-NAN YANG, an individual;
KWONG YAP CHAN, an individual; and
SHAOBIN ZHENG, an individual sued as
administrator for the ESTATE OF ISHUN
CHAN,

Defendant.

No. CV-10-03822-PVT

**NOTICE OF TENTATIVE SETTLEMENT
AND REQUEST FOR DEADLINE
CONTINUANCE; [XXXXXXXXXX] ORDER**

Plaintiff Kanawha Insurance Company ("Plaintiff") wishes to provide the Court notice that the parties have tentatively settled the above-captioned matter in interpleader. Accordingly, Plaintiff respectfully requests that the Court continue the deadlines set forth in this Court's August 26, 2010 Order Setting Initial Case Management Conference and ADR Deadlines ninety (90) days. The purpose of the requested continuance is to allow the parties to focus on finalizing the terms of their settlement and to dismiss the action, without the need for additional litigation activities, in order to better preserve the resources of the parties and the Court.

Plaintiff filed this action in interpleader on August 26, 2010, seeking the assistance of the

1 Court regarding the proper distribution of disputed life insurance proceeds. At this time, no
2 defendant claimant has appeared in this action or responded to Plaintiff's Complaint. The Court
3 has not yet granted Plaintiff leave to deposit the disputed funds with the Court, and Plaintiff
4 retains those funds.

5 Since filing and serving its Complaint, Plaintiff is informed and believes that the
6 defendant claimants have agreed amongst themselves regarding the manner in which Plaintiff
7 should pay the disputed insurance funds. Accordingly, Plaintiff intends to dismiss the subject
8 action in interpleader as soon defendant claimants' agreement is documented to the satisfaction of
9 all parties. Plaintiff conservatively estimates that the settlement will be finalized within sixty (60)
10 days, hopefully much less.¹

11 In light of these facts, and in order to preserve the resources of the parties in light of the
12 relatively small amount at issue—\$110,000.00—Plaintiff requests that the Court continue all
13 pretrial deadlines ninety (90) days.

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16 DATED: October 19, 2010

HANSON BRIDGETT LLP

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18 By: /s/
19 ADAM HOFMANN
20 Attorneys for Plaintiff
21 KANAWHA INSURANCE COMPANY
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28 ¹ In stating this estimate, Plaintiff notes that it has been informed that two of the defendants reside
in the State of New York, and one of the defendants resides in the State of Oregon.

PROPOSED ORDER CONTINUING PRETRIAL DEADLINES

In light of the request of the Plaintiff and good cause appearing therefore, **IT IS**
HEREBY ORDERED:

The Court's August 26, 2010 Order Setting Initial Case Management Conference and
 ADR Deadlines is hereby amended as follows:

CASE SCHEDULE-ADR MULTI-OPTION PROGRAM

<u>Date</u>	<u>Event</u>	<u>Governing Rule</u>
1/17/2011	Last day to: Meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan	FRCivP 26(f) & ADR L.R. 3-5
	file ADR Certification signed by Parties and Counsel (form available at http://www.cand.uscourts.gov)	Civil L.R. 16-8(b) & ADR L.R. 3-5(b)
	file either Stipulation to ADR Process or Notice of Need for ADR Phone Conference (form available at http://www.cand.uscourts.gov)	Civil L.R. 16-8(c) & ADR L.R. 3-5(b) & (c)
1/31/2011	Last day to file Rule 26(f) Report, complete initial disclosures or state objection to Rule 26(f) Report and file Case Management Statement per attached Standing Order re Contents of Joint Case Management Statement (also available at http://www.cand.uscourts.gov)	FRCivP 26(a)(1) Civil L.R. 16-9
XXXXXXXX 2/08/2010	INITIAL CASE MANAGEMENT CONFERENCE (CMC) in Courtroom 5, 4th Floor, SJ at 2:00 PM	Civil L.R. 16-10

IT IS SO ORDERED

DATED: ____ 11/04 ____, 2010

BY: 
 MAGISTRATE JUDGE PATRICIA V.
 TRUMBULL